MR. GLENIES
ADDRESS
TO THE
ELECTORS
OF
SUNBURY

1795

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Subſtance

of

Mr. GLENIE's Addreſs,

to the FREEHOLDERS of the COUNTY

of SUNBURY,

on the opening of the POLL on TUESDAY the 1ſt

of September inſtant:

Explanatory of the Proceedings

OF THE LATE

HOUSE of ASSEMBLY, &c. &c.

Taken by a Perſon preſent, in Short Hand, and Publiſhed at the particular Requeſt of a large Majority of the Electors.

1795.

12th September, 1795.

SIR,

THE following observations contain the substance of Mr. Glenie's Address to the Electors of Salisbury, just before the opening of the Poll in that County, on the first Day of this Month. I took them down in short hand as correctly as I could. As they made a deep impression on the minds of the Electors, were listened to with the most profound silence succeeded by a burst of applause, and furnish the best account, I have met with, of the proceedings of the last House of Assembly, on which some persons have attempted to throw a great deal of obloquy, I embrace this opportunity of transmitting them to you for Publication, at the request of a large majority of the Electors.

I am, Sir,

Your most obedient humble Servant,

A Bystander.

To the PRINTER.

ADDRESS, &c.

Gentlemen Electors,

BEFORE the Sheriff proceeds to open the Poll, I muſt beg leave to ſay a few words to you, to prevent both miſconception and miſrepreſentation reſpecting ſome particulars, which it will not perhaps be improper for you clearly to underſtand.—You have now heard the Act for regulating Elections read to you, the very firſt clauſe of which ſufficiently ſhews, that there was no connection whatever between His Majeſty's approbation of it and the diſſolution of the late Houſe of Aſſembly—for it contains proviſions for the regulation not only of any general Election ſubſequent to it's receiving the Royal aſſent, but alſo of any particular one, that might be occaſioned by a vacancy in that very Houſe, which framed it.

THIS Act was paſſed with a ſuſpending clauſe in 1791, in the fifth Seſſion of the firſt Houſe, that was called in this Province after its ſeparation from Nova-Scotia.—A ſecond Houſe was ſummoned in 1793, which has been ſuddenly diſſolved before it had

had ſat half its natural time—Writs have lately been iſſued for calling a third one—And I cannot help thinking, Gentlemen, that the ſudden diſſolution of the late Houſe without any directions from Home, without, in ſhort, any viſible or apparent reaſon for it, ought to excite in all your minds the moſt ſerious reflections, and render you on this occaſion extremely cautious and circumſpect in the choice of your Repreſentatives, whom you are going to intruſt for a certain number of years with the guardianſhip of your Rights, Liberties, Property and Privileges, both civil and religious.—If there have been no orders for it from home, as manifeſtly appears to be the caſe, if there is no oſtenſible reaſon aſſigned for it in His Excellency's Proclamation, if none can be drawn for it from the Act you have now heard read, every Man of you muſt naturally be led to aſk himſelf this queſtion; for what purpoſe or purpoſes then has it been diſſolved?—Intimately acquainted with the conduct of that Houſe and the differences in matters of opinion that aroſe between it and the other, I feel myſelf at no loſs to underſtand the real motives of thoſe, who adviſed its diſſolution.—I muſt leave you however, on this ſubject, to form an opinion for yourſelves. The mentioning of a few incontrovertible facts may nevertheleſs enable you to form one with more accuracy, than perhaps you otherwiſe might do. But before I mention them I will juſt advert to an obſervation, which I underſtand has been made, though it is hardly deſerving of notice or attention. It is this—That a Houſe conſtituted like the laſt one could not legally ſit

after

ner the Election Bill came out approved of, as ne Members compoſing it were choſen by Electors ifferently qualified from thoſe, who are intitled o vote by that Act.—The Houſe, however, which aſſed it, was conſtituted exactly as the laſt was.—His Majeſty's approbation of the Bill made neither he one nor the other legal or illegal—and if there e any force in the obſervation, this Act itſelf, which profeſſes only to regulate general Elections, ſubſequent to its meeting with the Royal aſſent, nd particular ones for filling up vacancies in the very Houſe that paſſed it, muſt be conſidered as illegal, and every Act of Aſſembly in the Province equally ſo—but it is too ridiculous to merit ſerious examination or diſcuſſion—and I am convinced it will never be given as a reaſon for the diſſolution of the late Houſe, but by thoſe who are incapable of aſſigning any probable or good one.

The late Houſe of Aſſembly, Gentlemen, in my opinion, poſſeſſed as much political virtue, as ſincere a regard for your Intereſts, and did you as much good as you could reaſonably expect, conſidering the difficulties it had to encounter—It took up ſeriouſly, what it conſidered as real exiſting grievances, and although it did not ſucceed in reſtreſſing ſome of them, it directed its Committee of correſpondence to write home reſpecting them, nd therefore deſerves not the leſs credit for its ertions—Requiſitions were made to it, which if nplied with, it imagined would be felt by you nd the people at large, as heavy burdens—It herefore found it neceſſary to ſummon up all its nnels and to interpoſe its parliamentary rights

and

and authority to ſhield you againſt their preſſu-

In the firſt place it diſcovered for inſtance great anxiety as the former Houſe about getting an Act paſſed for regulating the holding and ſi- tings of the Supreme Court, in order to carry th adminiſtration of Juſtice by that Court into every County and to every Man's door as much as poſ- ble; the very purpoſe, I conceive, for which th Judges receive their ſalaries.—It is needleſs for m to inform you, that a Bill of this ſalutary tendency has five times paſſed the Houſe of Repreſentativ in General Aſſembly, and has as often dropped in the other.—Laſt winter the Houſe deſired to know the reaſons of the Council for ſetting it aſide, but could get none—I delivered a meſſage myſelf put- ting them in mind of it as a Bill tending greatly to promote the happineſs and convenience of His Majeſty's ſubjects in this Province. Finding its endeavours to get the Bill paſſed into an Act fruit- leſs, it directed its Committee of correſpondence to repreſent the matter to Mr. Knox the Provincial Agent at home as a grievance ſeverely felt through- out the Province and particularly in the Counties diſtant from Fredericton, and to requeſt him to do every thing in his power to get it redreſſed.—In this reſpect then it certainly has not neglected, but zealouſly conſulted your intereſt and happineſs.

Secondly. It paſſed a Bill laſt winter redu- cing both the width of roads and the number of days work to be performed on them—but this ſalutary and beneficial Bill was alſo loſt in conſe- quence of ſome alterations made by the Council,

, which the Houſe thought it could not give its concurrence conſiſtently with the duty it owed to its Conſtituents and the Public—In this particular it did not loſe ſight of your eaſe and convenience.

THIRDLY. It declined granting Money for erecting Buildings of accommodation at Fredericton for the General Aſſembly and Courts of Juſtice, thinking the Province not in a ſituation to bear without great inconvenience to the people, the raiſing of ſuch ſums as would have been neceſſary for theſe exertions.—In this inſtance of non-compliance it ſurely did not neglect your Intereſts.—In 1791 it was recommended to the firſt Houſe to fit up part of Fredericton Church for this purpoſe.—In 1792 Judge Saunders preſented a plan for ſuch a Building, with an eſtimate amounting to £1177 : 19 : 10.—I have erected, Gentlemen, more military works and public buildings than any other perſon in this Province, and I never ſaw an eſtimate for one yet, even when made by experienced, intelligent and ſkilful Engineers, who muſt be ſuppoſed much more capable of forming eſtimates, than the Gentleman who preſented this, that did not fall greatly ſhort of the actual expence of execution—Beſides, this was in the nature of a recommendatory eſtimate, and ſuch eſtimates calculated chiefly for procuring approbation, are generally kept as low as poſſible, and ſeldom amount to one third part of the real expence of erection. We may therefore very fairly and reaſonably conclude, that had this plan been once adopted to be carried into execution, £3000 would hardly have been ſufficient for completing it. For projectors frequently

frequently imagine, that if they can only see their plans approved of by keeping their eſtimate very low, they will afterwards ſucceed in getting them finiſhed.—Such a building of accommodation was particularly and earneſtly recommended in his Excellency's ſpeech in 1793 at the opening of the firſt Seſſion of the laſt Houſe, together with an allowance for a collegiate eſtabliſhment.—They only pledged themſelves however to make ſuch proviſion for theſe objects, as the abilities of this infant Province would enable them. But finding like the former Houſe the inability of this barely-exiſting Colony to defray the expence of erecting ſuch buildings and ſupporting ſuch an eſtabliſhment, for which the allowance propoſed is not half ſufficient, and which without Pariſh-Schools to prepare Children for it, they conceived would be uſeleſs and nugatory, they have left both theſe objects repeatedly recommended to them as ſtill unprovided for.—They very judiciouſly conſidered that Pariſh Schools, which diſſeminate generally a certain degree of information and learning, ought naturally to precede any endowment for a College, which without them is only calculated for the accommodation of a few Individuals, and has a tendency to monopolize education—And however much ſome perſons may diſlike the general diſſemination of knowledge among the people and reckon it dangerous, it ought in my opinion to be the firſt object of attention in every well regulated ſtate. For we can hardly view reaſon itſelf as a gift from the beneficent Author of our nature, unleſs we allow, that whatever improves the underſtand-

g tends alſo to better the heart.—The ſmall
ent allowance propoſed for the College was
per annum, which at 5 per cent. is the in
reſt of £ 1000, and of about £ 333 at 6 per cent
it every one knows that double or even triple
t ſum annually would ſcarcely be ſufficient for
upporting an eſtabliſhment capable of affording a
lerably good College-education.—Colleges are for
he purpoſe of giving the finiſhing touch and po-
h to that knowledge of language which young
en have acquired at School, and of inſtructing
em in the various branches of ſcience. But nei-
er one nor two Profeſſors are able to diſcharge
s duty properly.—Even decent collegiate build-
gs for the accommodation of the Students and
ofeſſors could not be erected under 6 or 7 thou-
pounds. What we hear now ſo pompouſly
tled the College at Fredericton, would not in
urope be conſidered as even on a footing with a
common country School. It was incumbent then
n your Repreſentatives to be extremely cautious
ow they embarked ſeriouſly in the execution of
his project—A great majority of them were ſo,
and have thereby merited your applauſe.

FOURTHLY. Laſt winter the Houſe was appli-
ed to for money to defray the expence of erecting
the Batteries at St. Andrews and the city of St.
John. On that occaſion I thought it my indiſpen-
ſible duty to point out the unprecedented nature
of ſuch an application, and the regular channel of
payment for ſuch expenditures, which is through
the eſtimates for army extraordinaries, annually
preſented to the Houſe of Commons by the Secre-
tary

tary at war—I then delivered it as my opinion, (and I muſt confeſs I have ſeen no reaſon as yet to alter it) that the Houſe might with equal propriety have been called upon to grant money for defraying the expence of erecting the new Barracks at Fredericton or to pay the New-Brunſwick Regt. —The Barracks are a military erection; ſo is each of theſe Batteries—The Regt. is for the defence of the Province; ſo are the Batteries.—Here I think it alſo was ſufficiently attentive to your intereſts and manfully diſcharged its duty in refuſing to eſtabliſh ſuch a precedent. A further conſideration of this ſubject was recommended to it, but no attention was paid to this recommendation. From that moment the harmony and good underſtanding, which is always to be wiſhed for between the two Houſes, ſeemed to be at an end. The following doctrine was almoſt immediately afterwards advanced by the Council, and ſtrenuously inſiſted on by their Committee of conference on the appropriation Bill, viz. that it is unparliamentary and unconſtitutional in the Houſe of Aſſembly to diſpoſe of any public money for any other purpoſes or ſervices than thoſe recommended by His Excellency, or (which comes to the ſame thing) than thoſe, which they chooſe to adviſe him to recommend, as they are a Council of advice as well as Legiſlation.—An acquieſcence in this declaration on the part of your Repreſentatives I was then of opinion, and am ſo ſtill, would have been tantamount to an abſolute ſurrender of your purſe, property, rights and liberties, into the hands of the Council at once. But they ſtifled the idea of

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ever aſſenting to ſuch doctrine, and acted on the occaſion with that temper, firmneſs and ſpirit, which became the repreſentative body of the people. It is a propoſition, to which I hope in God no Houſe of Aſſembly will ever give its aſſent.—For it is a parliamentary maxim as old as parliament itſelf, that thoſe who have the ſole right of granting have an unqueſtionable right to diſpoſe of what they grant. It alſo paſſed the declaratory Bill, which it would be improper for me to enter into an explanation of at preſent. Reſpecting that Bill therefore, unqueſtionably the moſt important and ſalutary one in its tendency, which was ever introduced into that Houſe, I ſhall only obſerve, that it was calculated to aſcertain what Laws you live under, to remove even the power or poſſibility of capricious conduct from the Bench in regard at leaſt to their operation by fixing conſtitutional limits for the Judges in giving their deciſions, and to put you in poſſeſſion of all the beneficial ſtatutes of England and Great-Britain, applicable to our colonial ſituation down to a much later period than the reſtoration, which in my opinion, has been very erroneouſly fixed on.—It has been printed in the Newſpapers for ſome months. But none of thoſe, who were ſo clamorous againſt it on its firſt appearance, have as yet ventured to ſtep forward and queſtion either the principles or authorities on which it is founded.

Lastly. Unwilling to open your purſes unneceſſarily, they alſo declined making Mr. Odell an allowance for acting as Clerk of the Legiſlative Council, otherwiſe than conditionally, till they ſhould

ſhould be perfectly informed whether he does not receive part of his ſalary from home for doing that duty.—My opinion, I muſt acknowledge, was decidedly in favour of the concluſion, that he does, as his deſignation in the civil eſtabliſhment of the Province, printed in the Journals of the Houſe of Commons is, "Secretary Regiſter and Clerk of the Council," with a ſalary of £. 250 ſterling, independent of his fees and perquiſites of office.

In regard to the qualifications of Repreſentatives, Gentlemen, I ſhall ſay but little.—I cannot help obſerving however, that I think you ought to conſider Independence, particularly on the Government of the Province as the firſt, and to be extremely careful not to chooſe any perſon, who holds offices under it, that may tend to ſubject him to influence from the other two branches of the Legiſlature.—For offices like gifts have a tendency to corrupt the heart. Our colonial conſtitution is unfortunately in ſeveral reſpects widely different from that of the mother country.—True it is, that our Legiſlature conſiſts of three diſtinct branches, like that of Great-Britain.—The two Legiſlatures are however eſſentially different.—The Houſe of Lords or ſecond Branch at home, is a dignified, opulent and independent body.—The Peers hold their ſeats by writ, patent or inheritance, and no authority in the State ſhort of an Act of the Britiſh Legiſlature can remove them from them.—But the members compoſing the Council or ſecond branch here hold their ſeats not hereditarily, not even during good behaviour, but during the pleaſure of His Majeſty's ſervants and Miniſters, and are removable

ble at their pleaſure, without any reaſons aſſigned. —There is alſo another circumſtance, which renders the difference ſtill more ſtriking, which is this, that even the Judges of the Supreme Court, who ſometimes form a majority of the Legiſlative Council during the ſitting of the General Aſſembly, are not only dependant on the ſervants of the Crown for their ſeats in that Houſe, but alſo for their ſeats on the Bench, and are liable to be diſmiſſed at a moment's notice.—If therefore an attentive, watchful and vigilant oppoſition has ever been found neceſſary in the Houſe of Commons to preſerve the rights and liberties of the people in Great Britain, it muſt certainly be doubly requiſite here, where two Branches of the Legiſlature are in a great meaſure thrown into one ſcale.

KNOWLEDGE or Information I think occupies the next place to Independence among the qualifications of a Repreſentative, particularly if it be of a parliamentary and conſtitutional nature.—It tends even to create Independence—For the more information a man has, the more capable is he of forming opinions for himſelf and the leſs dependant on thoſe of others. It is a knowledge of the privileges and authorities belonging reſpectively to the different component Branches of our colonial Legiſlature and that alone, which can enable a Repreſentative to diſcern and ſucceſsfully oppoſe their encroachments on one another, and preſerve the juſt equilibrium between them.

As for probity, candour and integrity, we muſt naturally conceive them to be much more frequently the companions of knowledge, than of ignorance;

norance; unless we can allow ourſelves to form a ſuppoſition diſhonourable and diſgraceful to our nature, that the improvement of the underſtanding has a tendency to pollute the mind. 'Tis the mutilated ſelfiſh and defective education that teaches trick and chicanery.—A liberal one inſtils ſentiments of generoſity, juſtice and honour.

I will not take up your time by entering into an explanation of my own conduct in the two Houſes of Aſſembly, in which I have had the honour to repreſent you.—As it was ever public, open and avowed, I have always wiſhed to have it ſubjected to the moſt ſcrupulous examination.—I never made a ſacrifice of your rights and liberties to pleaſe any man or ſet of men.—I never ſhrunk from the diſcharge of thoſe duties I owed to you and the community at large, through fear of offending any man.—I have ever oppoſed to the utmoſt of my power meaſures, which I conceived to be unconſtitutional, dangerous in their tendency, or injurious to your real Intereſt and thoſe of the public.—And ſhould you think it proper to chooſe me on this occaſion to repreſent you in the Houſe, that has lately been ſummoned, you will, I flatter myſelf, find me to be as watchful a guardian of your liberties and privileges and as attentive to your convenience, proſperity and happineſs, as, I am conſcious, I hitherto have been.